

**REMARKS**

Claims 1, 2, 4-7, and 14 have been amended herein. Claims 17-20 have been added.

Claims 1-20 are now pending in the Application. The Specification has been amended to correct typographical errors. Claim 1 has been amended to correct a typographical error and to remove the phrase "the steps of." Claims 2, 4-7, and 14 have been amended to correct typographical errors. Support for new claims 17-20 is found in the specification and the original claims. No new matter has been added. Entry of the amendment is respectfully requested. Reconsideration is respectfully requested.

**The Pending Claims Are Not Anticipated or Obvious in View of the Applied Art**

Claims 1-4, 7, 8, 10, 11, 12, 13, and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Anderson, et al 5,706,442 ("Anderson").

Claims 5, 6, 9, 15, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson in view of Zeanah, et al. 4,784,274 ("Zeanah").

These rejections are respectfully traversed.

**The Applied References Do Not Disclose or Suggest the Features and Relationships Recited in Applicants' Claims**

Anticipation pursuant to 35 U.S.C. § 102 requires that a single prior art reference contain all the elements of the claimed invention arranged in the manner recited in the claim. *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983).

Anticipation under 35 U.S.C. § 102 requires in a single prior art disclosure, each and every element of the claimed invention arranged in a manner such that the reference would literally infringe the claims at issue if made later in time. *Lewmar Marine, Inc. v. Bariant, Inc.*, 822 F.2d 744, 747, 3 USPQ2d 1766, 1768 (Fed. Cir. 1987).

Before a claim may be rejected on the basis of obviousness, the Patent Office bears the burden of establishing that all the recited features of the claim are known in the prior art. This is known as *prima facie obviousness*. To establish *prima facie* obviousness, it must be shown that all the elements and relationships recited in the claim are known in the prior art. MPEP § 2142.

However even if such elements and relationships are known, absent a showing of a prior art teaching, suggestion, or motivation to produce a claimed combination, an obviousness rejection is not proper. *Panduit Corp. v. Denison Mfg. Co.*, 810 F.2d 1561, 1568, 1 USPQ 2d 1593 (Fed. Cir. 1987). *In re Newell*, 891 F.2d 899, 901, 902, 13 USPQ 2d 1248, 1250 (Fed. Cir. 1989).

The teaching, suggestion, or motivation to combine the features in prior art references must be clearly and particularly identified in such prior art to support a rejection on the basis of obviousness. It is not sufficient to offer a broad range of sources and make conclusory statements. *In re Dembicza*k, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999).

It is respectfully submitted that the Action does not meet these burdens.

**The Features Recited in Applicants' Claims**  
**Patentably Distinguish Over Anderson**

In the Action claims 1-4, 7, 8, 10, 11, 12, 13, and 14 were rejected under 35 U.S.C. § (e) as being anticipated by Anderson. These rejections are respectfully traversed. Applicants' response to these rejections is based on the Office's referenced interpretation of Anderson. Thus, any change in the Office's interpretation of this reference shall constitute a new ground of rejection.

Applicants traverse these rejections on the grounds that Applicants' claims recite features and relationships which are neither disclosed nor suggested in Anderson, and because there is no teaching, suggestion or motivation cited so as to produce Applicants' invention. The features recited in Applicants' claims patentably distinguish over the applied references.

**Claim 1**

Claim 1 is an independent method claim. Claim 1 recites that the method includes (a) providing a plurality of HTTP records accessible through an HTTP server, wherein at least one record includes data corresponding to operating data, wherein the operating data is operative to control operation of an automated transaction machine. Claim 1 further recites: (b) accessing the record data through the server with a computer in an automated transaction machine; and (c) loading data corresponding to the operating data in a memory of the machine.

It is respectfully submitted that Anderson does not disclose each and every element and relationship recited in claim 1. The Action alleges that Anderson discloses at least one HTTP

record which includes data corresponding to operating data, where the operating data is operative to control operation of an automated transaction machine. The Action further alleges that Anderson discloses accessing a record data through the server with a computer in an automated transaction machine and discloses loading data corresponding to operating data in a memory of the machine.

Applicants respectfully submit that these features are not disclosed or suggested in Anderson. Although Anderson discloses a system for accessing financial information from various financial service providers, Anderson does not disclose or suggest a system that includes an ATM. In addition, although Anderson discloses a system that includes a web server (20) (Figure 2), Anderson does not disclose or suggest an HTTP record accessed through the web server which includes operating data for controlling the operation of an ATM. Furthermore, Anderson fails to show a computer in an ATM that accesses and loads the HTTP record with the operating data into a memory of an ATM.

It is respectfully submitted that Anderson does not disclose each and every element of the claimed invention arranged in the manner recited in claim 1, as is required to sustain the rejection. Hence, Applicants' claim 1 patentably distinguishes over the Anderson reference. Therefore, it is respectfully submitted that the 35 U.S.C. § 102(e) rejection has been overcome. It follows that claims 1-6 which depend from claim 1 are likewise allowable.

**Claim 7**

Claim 7 is an independent claim directed to a system. Claim 7 recites that the system comprises an HTTP server, and a plurality of records accessible through the server. At least one of the records includes transaction machine operating data therein. Claim 7 further recites that the system includes an automated transaction machine, the transaction machine including a computer and the computer including a memory. In addition claim 7 recites that the system includes software executable in the computer. The software is operative to access the at least one record and to store data corresponding to the machine operating data in the memory of the machine.

As discussed previously with respect to claim 1, Anderson does not disclose a record accessible through an HTTP server that includes transaction machine operating data therein. Further Anderson does not disclose a system that includes an ATM or software executable in a computer of an ATM. Also, Anderson does not disclose or suggest that software in an ATM is operative to access a record with the machine operating data therein and is operative to store data corresponding to the machine operating data in the memory of the ATM.

It is respectfully submitted that Anderson does not disclose each and every element of the claimed invention arranged in the manner recited in claim 7, as is required to sustain the rejection. Applicants' claim 7 patentably distinguishes over the Anderson reference, and it is respectfully submitted that the 35 U.S.C. § 102(e) rejection has been overcome. It follows that claims 8-16 which depend from claim 7 are likewise allowable.

### **The Dependent Claims**

Each of the dependent claims depends directly or indirectly from an independent claim.

Each independent claim has been previously shown to be allowable. It is asserted that the dependent claims are allowable on the same basis.

Furthermore, each of the dependent claims additionally recites specific steps, features, and relationships that patentably distinguish the claimed invention over the applied art. None of the references, taken alone or in combination, disclose or suggest the steps, features, and relationships that are specifically recited in the dependent claims. Thus, it is respectfully submitted that these dependent claims are further allowable due to the recitation of such additional steps, features, and relationships.

### **Claim 2**

Claim 2 depends from claim 1 and recites that in step (a) a plurality of HTML documents are provided which are accessible through the server. The plurality of records include the plurality of documents. Claim 2 further recites that step (b) includes accessing a document with a browser operating in a computer of the automated transaction machine.

It is respectfully submitted that Anderson does not disclose or suggest HTML documents which include records with operating data operative to control the operation of an ATM. Further, Anderson does not disclose or suggest a browser operating in a computer of an ATM. In addition Anderson does not disclose an ATM that accesses with a browser, a document that includes operating data that is operative to control the operation of the ATM.

As nothing in the applied art discloses or suggests these features, it is respectfully submitted that claim 2 is further allowable on this basis.

### **Claim 3**

Claim 3 depends from claim 2 and further recites that the document includes instructions, wherein in step (c) the operating data is loaded in memory responsive to the instructions in the document. Anderson does not disclose or suggest accessing a document with instructions using a browser operating in a computer of an ATM. Anderson further does not disclose or suggest loading operating data in a memory of an ATM responsive to instructions in a document. As the cited art does not disclose or suggest these features, it is respectfully submitted that claim 3 is further allowable for these reasons.

### **Claim 4**

Claim 4 depends from claim 1 and further recites that the method prior to step (c) further includes providing to the server data representative of an identity of the machine, wherein the record data accessed in step (b) is accessed responsive to the identity data. Anderson does not disclose or suggest providing to an HTTP server, data representative of an identity of an ATM. In addition Anderson does not disclose or suggest accessing HTTP record data responsive to an identity of an ATM. As nothing in the applied art discloses or suggests these features, it is respectfully submitted that claim 4 is further allowable on this basis.

### **Claim 8**

Claim 8 depends from claim 7 and recites that the transaction machine further comprises at least one transaction function device in operative connection with the computer. The transaction function device is changeable from a first condition to a second condition. Claim 8 further recites that the system further comprises a second record accessible through the HTTP server. The second record includes further machine operating data. The software executable in the computer is further operative to access the second record and to store data corresponding to the further machine operating data in the memory responsive to a change in condition of the transaction function device.

As discussed previously, Anderson does not disclose or suggest an ATM. In addition Anderson does not disclose or suggest that the ATM further includes a transaction function device that is changeable from a first condition to a second condition. Anderson further does not include a second record accessible through an HTTP server which includes further machine operating data. Anderson also does not disclose software that is operative to access the second record, and to store data corresponding to the further machine operating data in memory responsive to a change in condition of the transaction function device. As the cited art does not disclose or suggest these features, it is respectfully submitted that claim 8 is further allowable for these reasons.

### **Claim 10**

Claim 10 depends from claim 7 and recites that the machine operating data includes an instruction. The computer is operative responsive to operating data corresponding to the instruction in memory to access an applet from the HTTP server.

The Action admits that Anderson fails to disclose operating data that includes an applet. Therefore, it is respectfully submitted that Anderson does not disclose each and every element of the claimed invention arranged in the manner recited in claim 10, as is required to sustain the objection. Hence, Applicants' claim 10 patentably distinguishes over the Anderson reference. Therefore, it is respectfully submitted that the 35 U.S.C. § 102(e) rejection has been overcome.

### **Claim 11**

Claim 11 depends from claim 7 and recites that the system further comprises a data store in operative connection with the HTTP server. The plurality of records are stored in the data store. In addition claim 11 recites that the HTTP server includes a database server.

Anderson does not disclose or suggest storing a plurality of records in a data store, of which at least one of the records includes ATM operating data therein. As the cited art does not disclose or suggest these features, it is respectfully submitted that claim 11 is further allowable for these reasons.

### Claim 12

Claim 12 depends from claim 7 and further recites that the automated transaction machine includes a plurality of transaction devices. The software executable in the computer includes a browser. The memory includes at least one document address which corresponds to at least one of the transaction devices in the machine. Claim 12 further recites that the system comprises a plurality of documents accessible through the HTTP server. At least one document corresponding to the document address includes the operating data. The computer is operative to access the at least one document corresponding to the document address with the browser and to store data corresponding to the machine operating data in the accessed document in the memory of the machine.

It is respectfully submitted that Anderson does not disclose or suggest an ATM, nor an ATM that includes a plurality of transaction devices. In addition, Anderson does disclose or suggest an ATM that includes a browser or a document address stored in a memory which corresponds to one of the transaction devices. Further, Anderson does not disclose or suggest a document accessible through an HTTP server which corresponds to the document address, and that includes operating data. In addition, Anderson does not disclose an ATM with a computer that is operative to access the document corresponding to the document address with the browser, and that is operative to store data corresponding to the machine operating data in the accessed document, in the memory of the ATM. As nothing in the applied art discloses or suggests these features, it is respectfully submitted that claim 12 is further allowable on this basis.

### **Claim 13**

Claim 13 depends from claim 8 and further recites that the transaction devices include a sheet dispenser. The second of the documents accessible through the HTTP server includes transaction machine operating instructions to operate the sheet dispenser. In addition claim 13 recites that the software is further operative to access the second document with the browser and cause the sheet dispenser to operate in response to the transaction machine operating instructions.

Anderson does not disclose or suggest an ATM or an ATM with a sheet dispenser. Further, Anderson does not disclose or suggest software which is operative to operate the sheet dispenser in response to transaction machine operating instructions in a document accessed with a browser. As the cited art does not disclose or suggest these features, it is respectfully submitted that claim 13 is further allowable for these reasons.

### **Claim 14**

Claim 14 depends from claim 7 and recites that the system further comprises a network operatively connecting the computer and the HTTP server, wherein the computer is operative to access the at least one record through the network.

Anderson does not disclose or suggest an ATM with a computer that is operative to access a record that includes transaction machine operating data, through a network and an HTTP server. As nothing in the applied art discloses or suggests these features, it is respectfully submitted that claim 14 is further allowable on this basis.

**The Pending Claims Are Not Obvious Over**  
**Anderson in view of Zeanah**

In the Action claims 5, 6, 9, 15, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson in view of Zeanah. These rejections are respectfully traversed. Applicants' response to these rejections is based on the Office's referenced interpretations of Anderson and Zeanah. Thus, any change in the Office's interpretation of these references shall constitute a new ground of rejection.

Applicants traverse these rejections on the grounds that Applicants' claims recite features and relationships which are neither disclosed nor suggested in the prior art, and because there is no teaching, suggestion or motivation cited so as to produce Applicants' invention. The features recited in Applicants' claims patentably distinguish over the applied references.

**Claim 5**

Claim 5 depends from claim 1 and recites that step (a) includes providing the plurality of records in a data store in operative connection with the server, such that the records include operating data, and such that the operating data includes applets.

As admitted in the Action, Anderson fails to disclose operating data that includes applets. The Action alleges that Zeanah discloses applets and that it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to modify Anderson to include an applet as taught by Zeanah. However, neither Anderson nor Zeanah discloses or suggests a data store which includes a plurality of records with operating data that is operative to control

operation of an ATM. Further neither reference discloses that such operating data includes applets.

Thus, neither Anderson nor Zeanah alone or in combination discloses or suggests the features and relationships that are specifically recited in the claim. As nothing in the cited art discloses or suggests the features and relationships that are specifically recited in claim 5, and because there is no teaching, suggestion or motivation cited for combining features of the cited references so as to produce Applicants' invention, it is respectfully submitted that claim 5 is allowable for these reasons. Therefore, it is respectfully submitted that the 35 U.S.C. § 103(a) rejection should be withdrawn.

#### Claim 6

Claim 6 depends from claim 1 and further recites that step (a) includes providing the plurality of records in a data store in operative connection with the server, such that the records include operating data, and such that the operating data includes instructions executable by a computer to access applets.

As discussed previously, neither Anderson nor Zeanah discloses nor suggests a data store which includes a plurality of records with operating data that is operative to control operation of an ATM. In addition, neither reference discloses nor suggests that such operating data includes instructions executable by a computer to access applets. As the cited art does not disclose or suggest these features, it is respectfully submitted that claim 6 is further allowable for these reasons.

### **Claim 9**

Claim 9 depends from claim 7 and further recites that the machine operating data includes an applet. Neither Anderson nor Zeanah discloses or suggests an ATM with software that is operative to access through an HTTP server, a record that includes transaction machine operating data therein. In addition neither reference discloses or suggests that such machine operating data includes an applet. As nothing in the applied art discloses or suggests this feature in the manner recited, it is respectfully submitted that the claim is further allowable on this basis.

### **Claim 15**

Claim 15 depends from claim 7 and further recites that the machine operating data includes Active-X code. Neither Anderson nor Zeanah discloses or suggests an ATM with software that is operative to access through an HTTP server, a record that includes transaction machine operating data therein. In addition neither reference discloses or suggests that such machine operating data includes an Active-X code. Nothing in the applied art discloses or suggests these features, and this claim further distinguishes over the cited art on this basis.

### **Claim 16**

Claim 16 depends from claim 7 and further recites that the machine operating data includes JAVA® code. Neither Anderson nor Zeanah discloses or suggests an ATM with software that is operative to access through an HTTP server, a record that includes transaction machine operating data therein. In addition neither reference discloses or suggests that such

machine operating data includes JAVA® code. As the cited art does not disclose or suggest these features, it is respectfully submitted that claim 16 is further allowable for these reasons.

### The New Claims

Claim 17 is an independent claim which is specifically directed to a method. The method includes (a) providing a plurality of documents accessible through an HTTP server, and that at least one document includes data corresponding to operating data, and that the operating data in the at least one document is adapted to control operation of at least one transaction function device of an automated transaction machine. The method further includes (b) accessing the at least one document through the HTTP server with an automated transaction machine, and that the automated transaction machine includes a browser, such that the at least one document is accessed with the browser. The method further includes (c) loading data corresponding to the operating data in a memory of the automated transaction machine; and (d) operating the at least one transaction function device of the automated transaction machine responsive to the operating data.

Claim 18 depends from claim 17 and recites that in step (d) the at least one transaction function device includes a cash dispenser, and that the operating data includes an applet. In addition claim 18 recites that step (d) further includes dispensing cash from the cash dispenser responsive to the applet.

Claim 19 depends from claim 17 and further recites: (e) accessing an applet with the automated transaction machine responsive to the operating data. In addition claim 19 recites that step (d) includes operating the at least one transaction function device responsive to the applet.

Claim 20 depends from claim 19 and recites that the at least one transaction function device includes a cash dispenser.

None of the cited references alone or in combination disclose or suggest the steps, features and relationships that are specifically recited in new claims 17-20. As nothing in the cited art discloses or suggests the steps, features and relationships that are specifically recited in these claims, and because there is no teaching, suggestion or motivation cited for combining features of the cited references so as to produce Applicants' invention, it is respectfully submitted that claims 17-20 are allowable for these reasons.

#### **Request to Amend Drawings**

A Request to Amend Drawings and formal drawings are being submitted herewith. The Amendment corrects minor errors in the drawings noted by Applicants. No new matter is added.

#### **Fees For Additional Claims**

No fee is due with the additional claims wherein the total number of independent claims is three and the total number of claims is twenty. However, for any other fees due associated with the prosecution of this application, please charge deposit account no. 09-0428 (InterBold).

### **Versions with markings to show changes made**

Paragraph beginning on Specification page 23, line 6 and ending on Specification page 23, line 13:

Returning to the sample transaction, in response to receiving the enable card reader message from the device application portion 84, the device server 92 is operative to generate a message through the intranet 16 to the device interfacing software portion 64 of the ATM 12. This message which comprises an HTTP record including instructions for operating the card reader, is directed to the IP port indicated 74 which is where the device interfacing software portion 64 communicates. In response to receiving this message, the software portion 64 is operative to send a message or messages on the control bus 50 which enables card reader mechanism 38 [34].

Paragraph beginning on Specification page 23, line 14 and ending on Specification page 24, line 2:

Continuing with the transaction as shown in Figure 6, the input of the card by the customer to the card reader 38 [34] is operative to cause the card data to be read and the device interfacing program portion 64 to send a message to the device server 92 indicating the card data has been read. This message is transmitted by the device server through the intranet 16 to the

device application portion 84. The device application portion then sends a message to the device server requesting the card data. The device server 92 transmits a message with instructions to deliver the card data from the device interfacing software portion 64 which responds with a message sending the card data through the intranet to the device server. The device server, if there is no basis for stopping the transaction, transmits an HTTP record including card data back through the intranet 16 to the device application portion 84.

Paragraph beginning on Specification page 70, line 10 and ending on Specification page 70, line 16:

Figures 28-30 include schematic depictions of examples of the operation of the keyboard mapper and the keypad applet. Figure 27 [29] shows an example of an input to the keypad 168. In this example the keypad applet 170 generally in response to instructions in an HTTP record such as an HTML document or other events, transmits and enables events to the transaction services application 146. In response a mapset is selected from the database 176 corresponding to the particular map name. The keyboard command server is further operative to enable the appropriate keys of the ATM.

1. (once amended) A method comprising [the steps of]:

- (a) providing a plurality of HTTP records accessible through an HTTP server, wherein at least one record includes data corresponding to operating data, wherein the operating data is operative to control operation of an automated transaction machine;
- (b) accessing the [one] record data through the server with a computer in an automated transaction machine; and
- (c) loading data corresponding to the operating data in a memory of the machine.

2. (once amended) The method according to claim 1 wherein in step (a) a plurality of HTML documents are provided which are accessible through the server, and wherein the plurality of records include the plurality of documents, and wherein step (b) comprises accessing a document with a browser operating in a computer of the automated [banking] transaction machine.

4. (once amended) The method according to claim 1 and prior to step (c) further comprising the step of providing to the server data representative of an identity of the machine, [where in] wherein the record data accessed in step (b) is accessed responsive to the identity data.

5. (once amended) The method according to claim 1 wherein step (a) comprises providing [a] the plurality of records in a data store in operative connection with the server, wherein the records include operating data, wherein the operating data includes applets.

6. (once amended) The method according to claim 1 wherein step (a) comprises providing [a] the plurality of records in a data store in operative connection with the server, wherein the records include operating data, wherein the operating data includes instructions executable by a computer to access applets.

7. A system comprising:

an HTTP server, and a plurality of records accessible through the server, at least one of the records including transaction machine operating data therein;

an automated transaction machine, the transaction machine including a computer, the computer including a memory; and

software executable in the computer, wherein the software is operative to access the at least one record and to store data corresponding to the machine operating data in the memory of the machine.

14. (once amended) The system according to claim 7 and further comprising a network [in] operatively connecting the computer and the HTTP server, wherein the computer is operative to access the at least one record through the network.

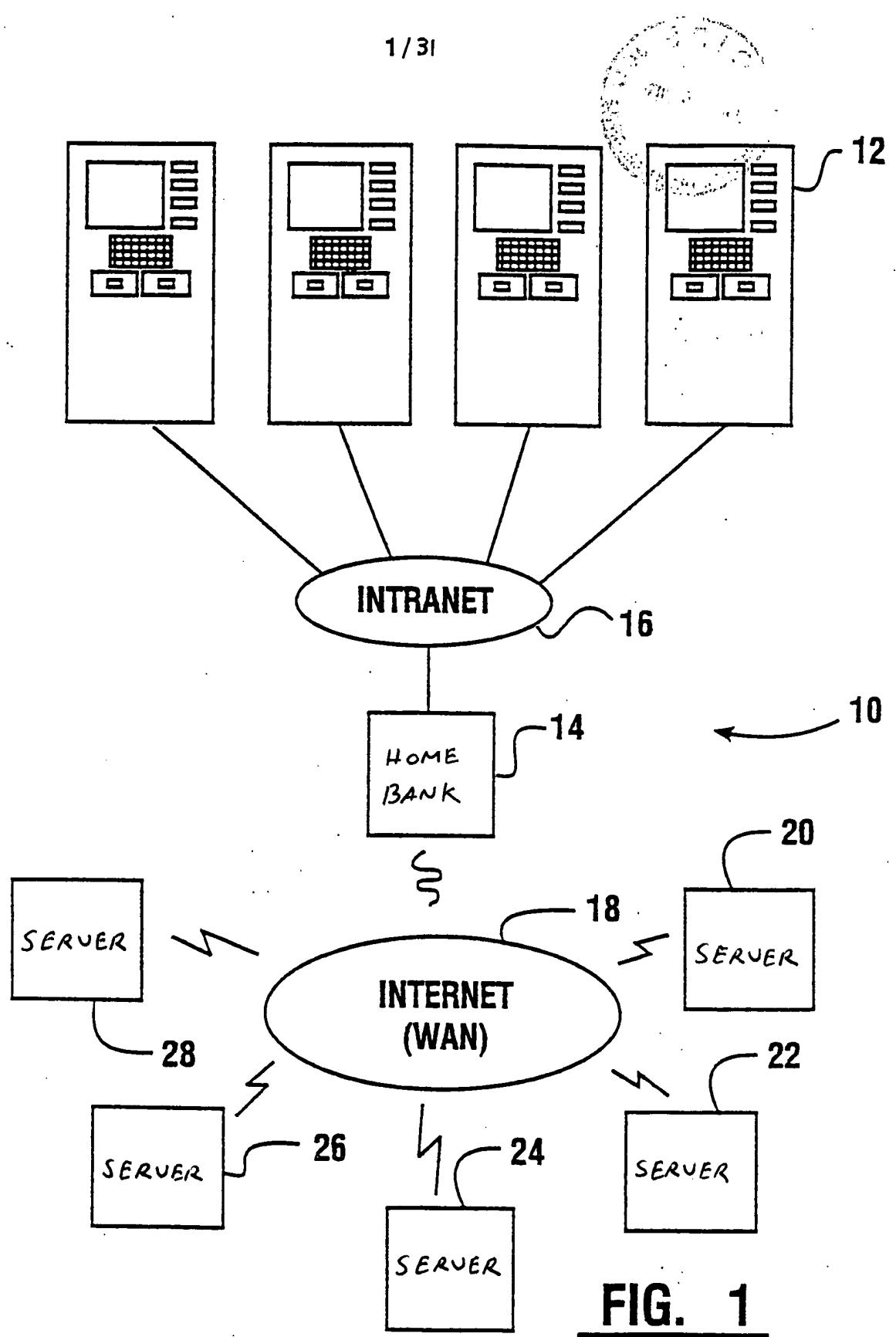
**Conclusion**

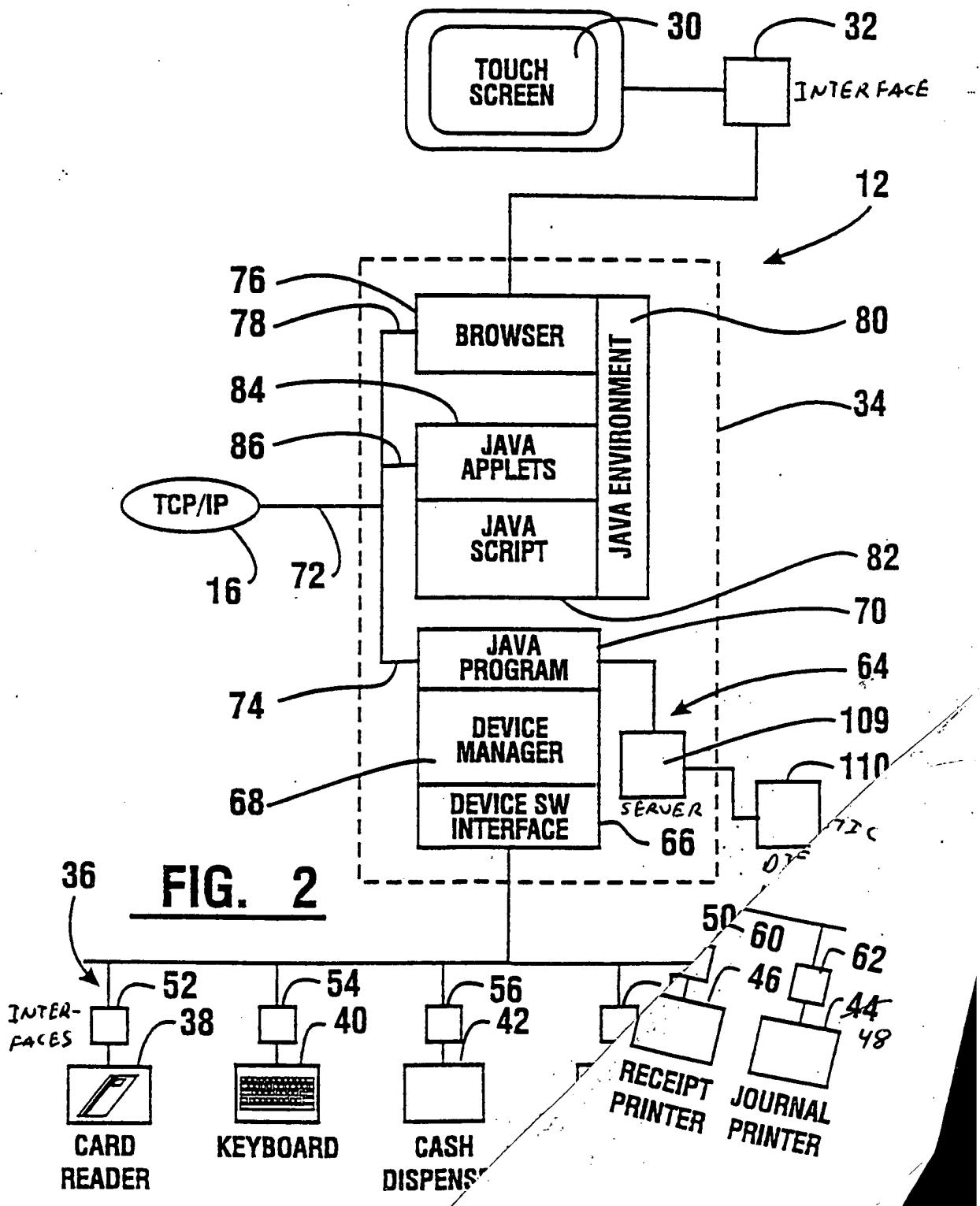
Each of Applicants' pending claims specifically recites features and relationships that are neither disclosed nor suggested in any of the applied art. Furthermore, the applied art is devoid of any such teaching, suggestion, or motivation for combining features of the applied art so as to produce Applicants' invention. Allowance of all of Applicants' pending claims is therefore respectfully requested.

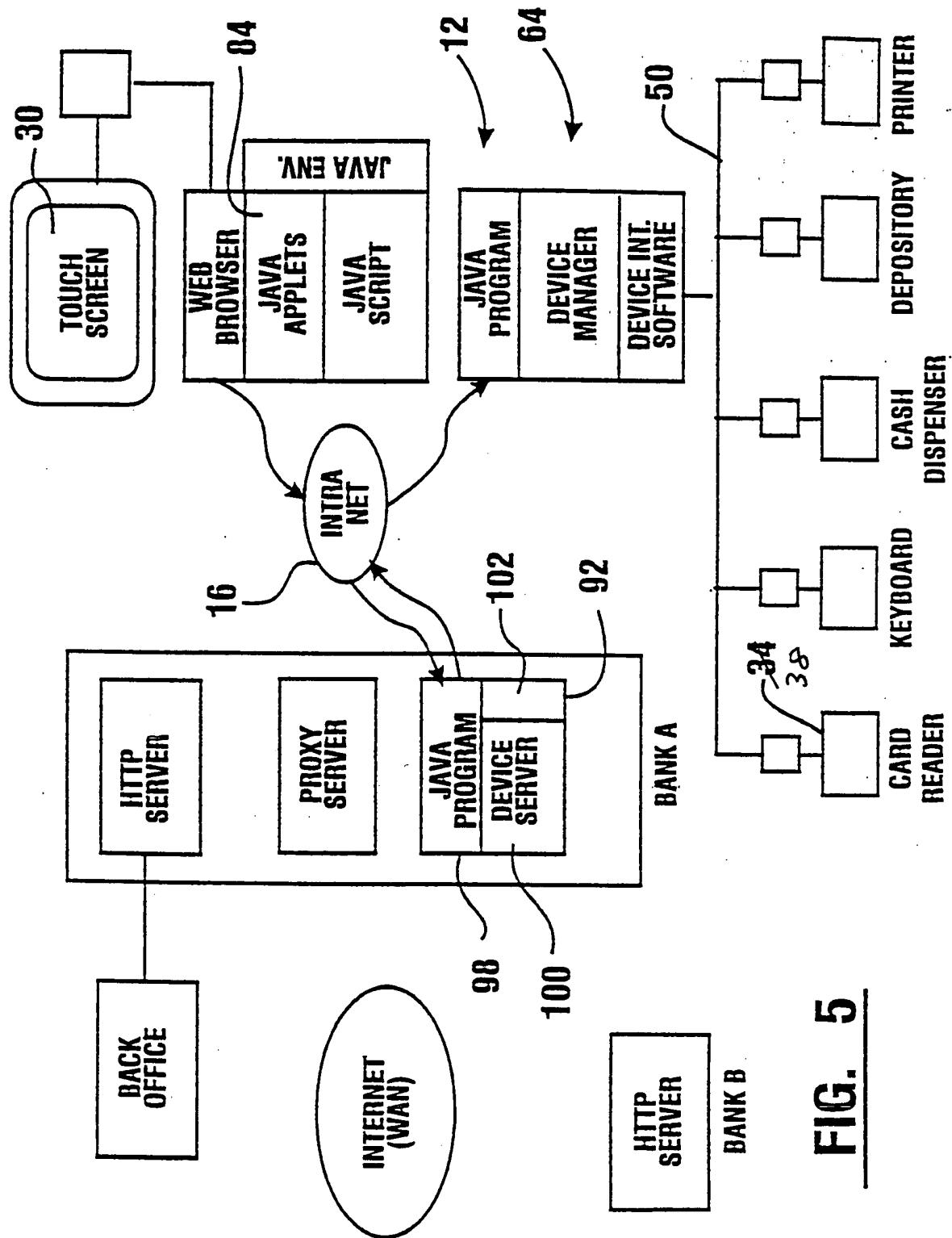
The undersigned will be happy to discuss any aspect of the Application by telephone at the Examiner's convenience.

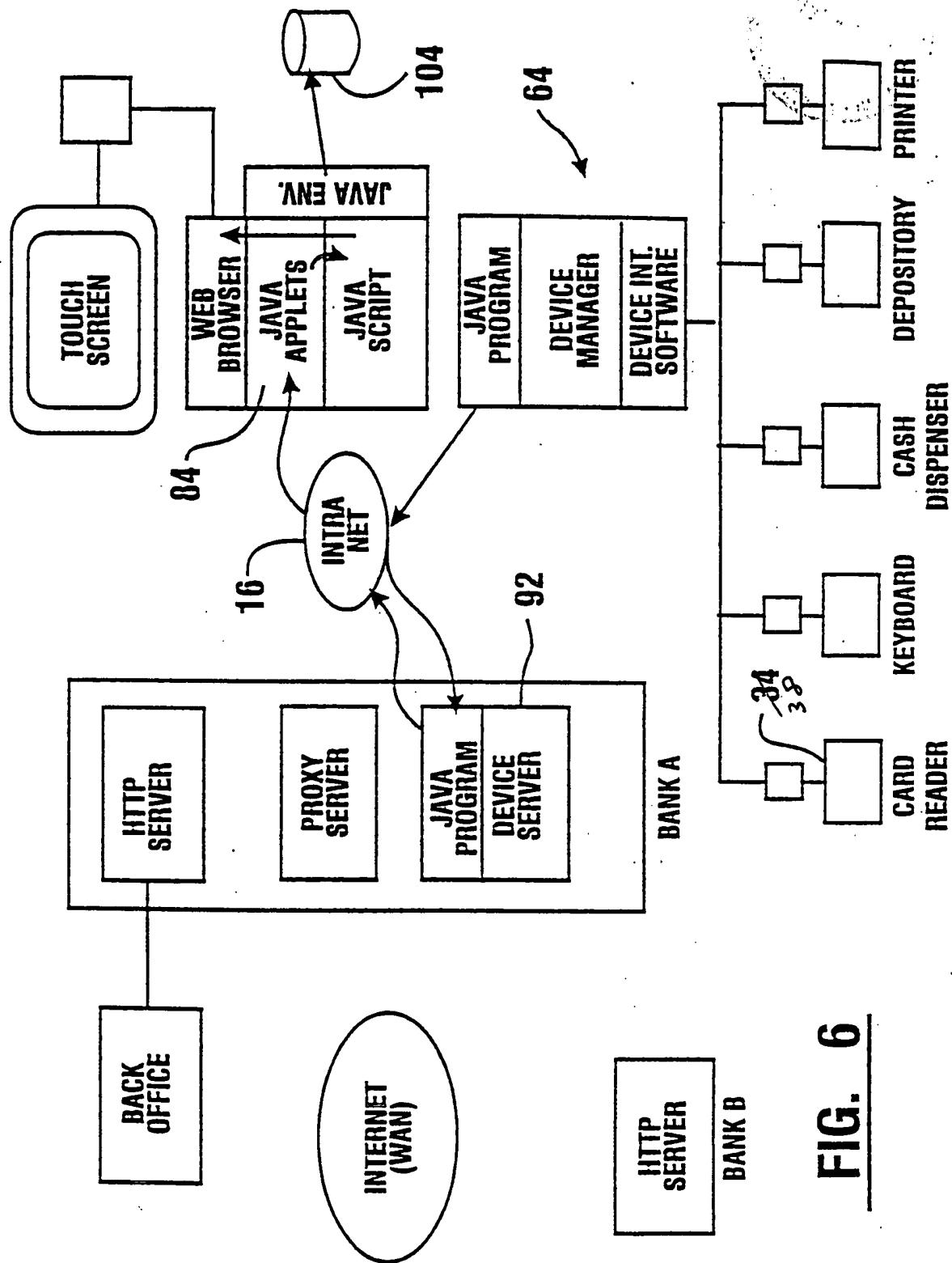
Respectfully submitted,

  
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**FIG. 5**



**FIG. 6**